

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

WP(C).No. 27841 of 2007(M)

OS.463/2002 of PRL.M.C.KOZHIKODE-I

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PETITIONER:

P.SUKDEV, S/O.PILAPPARAMBATH SEKHARAN,
PILAPPARAMBATH HOUSE, KACHERI AMSOM, DESOM,
KOZHIKODE TALUK, REPRESENTED BY POWER OF ATTORNEY
HOLDER, N.P.SATHYANANDAN, S/O.IMBICHI,
NECHIPARAMBATH HOUSE, P.M.KUTTY ROAD,
P.O.ERANHIPALAM, KOZHIKODE - 673 006.

BY ADV. SRI.C.P.MOHAMMED NIAS

RESPONDENTS:

1. P.SABIDADEVI,
D/O.PILAPPARAMBATH SEKHARAN, JAWAHAR COLONY,
KOZHIKODE, KACHERI AMSOM AND DESOM, KOZHIKODE
TALUK.
2. P.RAJUGURU, S/O.SEKHARAN,
PILLAPARAMBATH HOUSE, KACHERI AMSOM, DESOM,
KOZHIKODE TALUK.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

M.N.Krishnan, J.

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W.P(C).No.27841 of 2007

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Dated this the 24th day of September, 2007.

JUDGMENT

This Writ Petition is filed challenging the order of the learned Principal Munsiff-I, Kozhikode to auction the property among the sharers. The learned counsel for the Writ Petitioner in fairness submits before me that on 19.9.2007 the sale did not take place, but the court has passed a final decree allotting the house to one of the sharers. The writ petitioner is aggrieved by that. Since the final decree had already been passed, no effective relief can be granted in this Writ Petition at this stage.

2. Therefore, the Writ Petition is disposed of giving liberty to the writ petitioner to move the very same court for review of the order or to file an appeal as permitted by law, making it clear that I do not express anything on merits of the matter. If there is sufficient compliance, certified copy of the final decree may be issued at the earliest.

Writ Petition is disposed of accordingly.

M.N.Krishnan,
Judge.